

HOUSE BILL 3493
By Moore

AN ACT to amend Tennessee Code Annotated, Title 68,
Chapter 15, Part 2, relative to bedding.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-15-201, is amended by adding the following as a new, appropriately designated subdivision:

() "Mattress" means any quilted pad, comforter, mattress, mattress pad, bunk quilt or cushion, stuffed and filled with wool, hair or other soft material, to be used on a couch or other bed for sleeping or reclining purposes;

() "Comfort exchange policy" means a policy offered by a mattress manufacturer, wholesaler or retailer to a mattress buyer authorizing such buyer to exchange the mattress for a different firmness or for other reasons, within a certain period.

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 15, Part 2, is amended by adding the following as a new, appropriately designated section:

68-15-2__.

(a) It is unlawful for a mattress manufacturer, wholesaler or retailer to:

(1) Sell secondhand mattresses in this state, or to import such mattresses into this state for the purpose of resale; or

(2) Offer a comfort exchange policy to a mattress buyer pursuant to the sale of such mattress.

(b) A first offense for a violation of this part is a Class C misdemeanor, punishable by a fine only of fifty dollars (\$50.00); a second such offense is a Class B misdemeanor, punishable by a fine only of five hundred dollars (\$500);

and a third or subsequent such offense is a Class A misdemeanor,
punishable by a fine only of two thousand five hundred dollars (\$2,500).

(c) Each violation of this section shall be considered a separate offense.

SECTION 3. This act shall take effect July 1, 2006, the public welfare requiring it, and shall apply to deliveries made on or after such date.